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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

11 RAMAN D. PATEL, individually and as
12 trustee of the Raman D. And Jashu R. Patel
13 Family Trust, Raman D. And Jashu R. Patel
14 Residual Trust and Raman D. And Jashu R.
15 Patel Survivor's Trust, and as General Partner
of the JAS 4 RAY PROPERTIES, L.P.; RITA
PATEL; DAVID STAFFORD, individually
and as guardian of BRIJESH R. DAJI; PRITA
PATEL; BRIAN BALES,

16 Plaintiffs,

17 v.

18 CITY OF SANTA ROSA, CITY OF SANTA
19 ROSA POLICE DEPARTMENT; MAYOR
20 JANE BENDER, sued individually and in her
21 official capacity; COUNCILMEMBER JANET
22 CONDRON, sued individually and in her
23 official capacity; DETECTIVE THOMAS
24 PEIRSOL, sued individually and in his official
25 capacity; DETECTIVE STEVE FRAGA, sued
26 individually and in his official capacity; CITY
27 OF SANTA ROSA POLICE OFFICER GREG
28 YAEGER; CITY OF SANTA ROSA POLICE
OFFICER PAUL HENRY; CITY OF SANTA
ROSA POLICE OFFICER ERIC
GOLDSCHLAG; CITY OF SANTA ROSA
POLICE OFFICER DAVID P. GORMAN;
CITY OF SANTA ROSA POLICE OFFICER
DAVID MARCONI; CITY OF SANTA ROSA
POLICE OFFICER MICHAEL S. TOSTI;
CITY OF SANTA ROSA POLICE OFFICER
DAVID LINSOMB; CITY OF SANTA
ROSA POLICE OFFICER DAVID JONES;
CITY OF SANTA ROSA POLICE OFFICER

Case No. C 06 3267 MMC

~~PROPOSED~~ ORDER GRANTING
MOTION TO STAY; ADMINISTRATIVELY
CLOSING ACTION

Date: July 14, 2006
Time: 9:00 a.m.
Place: Courtroom 7
450 Golden Gate Avenue
19th Floor
San Francisco, CA 94102
Judge: Honorable Maxine M.
Chesney

1 MICHAEL CHAD HEISER; SANTA ROSA
 2 POLICE OFFICER CHRISTOPHER
 3 PARMAN; CITY OF SANTA ROSA POLICE
 4 OFFICER MARCUS R. SPRAGUE; CITY OF
 5 SANTA ROSA POLICE OFFICER DAVID
 6 ALBRITTON; CITY OF SANTA ROSA
 7 POLICE OFFICER MATTHEW TOMLIN;
 8 CITY OF SANTA ROSA POLICE OFFICER
 9 NOAH CADE; CITY OF SANTA ROSA
 10 POLICE OFFICER KOHUT sued as DOE 1
 11 individually and in his official capacity; CITY
 12 OF SANTA ROSA POLICE OFFICER GARY
 13 NEGRI, sued as DOE 2 individually and in his
 14 official capacity; CITY OF SANTA ROSA
 15 POLICE OFFICER BARR, sued as DOE 3
 16 individually and in his official capacity; DOES
 17 4 THROUGH 10, INCLUSIVE,

18 Defendants.

19 The doctrine of *Younger* abstention precludes this Court from hearing federal actions
 20 that interfere with
 21 ~~seeking relief against~~ state civil proceedings if the state proceeding: 1) is pending when the
 22 federal action is filed; 2) is a judicial proceeding that implicates important state interests; and 3)
 23 affords the federal plaintiffs an adequate opportunity to present their federal claims. See
 24 *Gilbertson v. Albright* (9th Cir. 2004) 381 F.3d 965, 975, 977-978 (en banc).

25 As all three factors are present in the instant action, the Court hereby GRANTS the City
 26 of Santa Rosa's request to stay this action until the state court civil abatement proceedings have
 27 been completed. The action is hereby administratively CLOSED, but may be reopened if

28 ~~IT IS SO ORDERED.~~ plaintiffs file a request to reopen the action within thirty days after
 the exhaustion of all appellate remedies in the state court civil abatement proceedings. See
Huffman v. Pursue, Ltd., 420 U.S. 592, 608 (1975) (holding *Younger* abstention remains in
 effect until appellate remedies are exhausted).

IT IS SO ORDERED.

Dated: August 14, 2006


 UNITED STATES DISTRICT JUDGE